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Oceans and the law of the sea

Note verbale dated 17 June 2013 from the Permanent Mission of Mozambique to the United Nations addressed to the Secretary-General

The Permanent Mission of the Republic of Mozambique to the United Nations presents its compliments to the Secretary-General of the United Nations, and has the honour to inform that, pursuant to General Assembly resolution 65/37 B of 4 April 2011, a workshop was held in Maputo on 6 and 7 December 2012, under the auspices of the United Nations, in support of the first phase of the first assessment cycle of the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socio-economic Aspects.

The Permanent Mission of the Republic of Mozambique has the further honour to transmit to the Secretary-General of the United Nations a summary of the workshop (see annex).

The Permanent Mission of the Republic of Mozambique would kindly request that the present note and its annex be circulated as a document of the General Assembly, under agenda item 75.

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Annex to the note verbale dated 17 June 2013 from the Permanent Mission of Mozambique to the United Nations addressed to the Secretary-General

Final report of the fifth workshop held under the auspices of the United Nations in support of the Regular Process for the Global Reporting and Assessment of the State of the Marine Environment, including Socioe-conomic Aspects

Maputo, Mozambique, 6 and 7 December 2012

Opening statements

United Nations Environment Programme

1. The Head of the secretariat for the Nairobi Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Western Indian Ocean called the meeting to order at 9.30 a.m. and welcomed the participants to the workshop. In his opening remarks, he acknowledged the presence of experts from the region and financial support provided by the United Nations Environment Programme (UNEP). He also thanked the United Nations Secretariat, Office of Legal Affairs, Division for Ocean Affairs and the Law of the Sea for providing overall leadership and mandate for the meeting. He further thanked the Government of Mozambique for organizing and hosting the Regular Process workshop, including a parallel workshop on shark conservation and the seventh Conference of the Parties to the Nairobi Convention to be held from 10 to 14 December 2014, in Maputo.

2. Mr. Waruinge further recalled that the Government of Mozambique, in collaboration with UNEP, organized a similar workshop in August 2012, the objectives of which were to contribute to the world ocean assessment requested by the General Assembly in accordance with the 2002 Johannesburg Plan of Action, and to lay a foundation for the state of the coast reports for the Nairobi Convention (annex 1).* While the state of the coast reports will contribute to the world ocean assessment, it is also expected that the latter final report will also in turn contribute to the regional state of the coast report. Mr. Waruinge further stated that the list of identified experts who will contribute to the regional report were also forwarded to their respective Governments for forwarding the Division for Ocean Affairs and the Law of the Sea through their Ministries of Foreign Affairs and their Permanent Missions to the United Nations in New York. Thereafter, Mr. Waruinge invited the representative of the United Nations Secretariat, Office of Legal Affairs, Division for Ocean Affairs and the Law of the Sea to make opening remarks.

United Nations Secretariat, Office of Legal Affairs, Division for Ocean Affairs and the Law of the Sea

3. Alice Hicuburundi, Senior Legal Officer, representative of the United Nations Secretariat, Office of Legal Affairs, Division for Ocean Affairs and the Law of the

* All annexes to the present report are available on the website of the Regular Process secretariat at http://www.un.org/Depts/los/global_reporting/global_reporting.htm.

Sea, the secretariat of the Regular Process, began by welcoming the participants to the workshop, on behalf of the Division for Ocean Affairs and the Law of the Sea. She informed the workshop that, in accordance with the relevant General Assembly resolutions on oceans and the law of the sea, a number of workshops had been organized. The first workshop, held in Santiago in September 2011 was followed by workshops held in Sanya, China, in February 2012, in Brussels in June 2012, in Miami, United States of America in November 2012 and in Maputo in December 2012.

4. She further informed that the Ad Hoc Working Group of the Whole on the Regular Process considered that those workshops constituted a key mechanism by which the first global integrated marine assessment (world ocean assessment) would be accomplished and by which States would enhance their assessment capacity. Workshops were also intended to facilitate dialogue between the established Group of Experts of the Regular Process and experts from States and relevant intergovernmental organizations, including for the purpose of gathering necessary data in the various areas to be covered by the world ocean assessment.

5. Ms. Hicuburundi, on behalf of the secretariat of the Regular Process, expressed gratitude to the Government of Mozambique for organizing the workshop, and to UNEP and its Regional Seas Programme and the Nairobi Convention secretariat for their financial contribution to her presence in Maputo, but mostly for their great contribution to the preparations of the workshop and logistics support. She also recognized the presence of members of the Group of Experts present at the workshop in particular, Renison Ruwa (Kenya), currently a member of the Group of Experts, and former member Magnus Ngoile (United Republic of Tanzania).

6. Recalling the guidelines for the workshop, Ms. Hicuburundi informed that the workshop should take full account of the principles of the Regular Process as recommended by the Ad Hoc Working Group and endorsed by the General Assembly in 2009, as well as the recommendations adopted by the Working Group at its first three meetings. She added that the workshop would be of crucial importance to help ensure the legitimacy, the relevance and the credibility of the Regular Process by identifying relevant information for the region and laying the foundation for capacity-building in ocean assessments in the region. Thereafter, Mr. Waruinge invited the representative of the Government of Mozambique to make his opening remarks.

Government of Mozambique

7. The Permanent Secretary of the Ministry of the Coordination of Environmental Affairs of Mozambique, Mauricio Xerinda, welcomed the participants to the workshop. He thanked the organizers for the opportunity to host the workshop, adding that the Government of Mozambique was committed to supporting the Regular Process. He urged the participants to take advantage of the workshop to identify experts, data and information that would contribute to the world ocean assessment and the state of the coast reports for the Nairobi Convention. Thereafter, he wished the participants fruitful discussions and declared the workshop officially opened.

Election of Chair and Rapporteur

8. The workshop elected the representative of the host country Mozambique and the Chair of the Bureau for the Nairobi Convention as Co-Chairs of the workshop, while the representative of the Government of the United Republic of Tanzania was elected as Rapporteur.

Adoption of the agenda

9. The workshop adopted the agenda with some amendments. The amended agenda is contained as annex 2 of the present report.

Introduction presentations

Background presentation on the Regular Process: World ocean assessment, statement by Alice Hicuburundi

10. Ms. Hicuburundi began by outlining the general concerns of the United Nations leading to the need for a world ocean assessment. These included the deteriorating state of the world's oceans and seas, the lack of a common system of assessments that gives a global picture of the state of the marine environment, including socioeconomic aspects, the lack of a common approach to understanding the oceans, the need to be integrated and not sectoral, and the need for a more effective interface between scientific knowledge and decision-making.

11. Ms. Hicuburundi presented the history of the Regular Process adding that the General Assembly had adopted a preparatory phase to cover the period from 2002 to 2005. That was followed by a start-up phase between 2005 and 2009. The operationalization phase began in 2009 and 2010. She added that the first cycle of the Regular Process began in 2010 and will be completed in 2014. Between 2010 and 2012, the Ad Hoc Working Group of the Whole was established to oversee and guide the Regular Process. The mandate of the Regular Process was a framework for the preparation of a global assessment of oceans and capacity-building, and its guiding principles are contained in General Assembly resolution 65/37.

12. The institutional arrangement of the Regular Process consists of the General Assembly Ad Hoc Working Group of the Whole, a Bureau consisting of 15 members, a Group of Experts consisting of 25 experts, a pool of experts and the secretariat of the Regular Process. She informed the workshop that, a Bureau had been constituted, six workshops had been held,[1] the nomination of experts for the pool of experts was ongoing, and the General Assembly in 2012 had adopted the outline of the first world ocean assessment, and noted the inventory report on capacity-building needs. She noted that the guidelines for contributors and the issue of the establishment of a website for the Regular Process were still being discussed.[2] A voluntary trust fund for assistance to members of the Group of Experts from developing countries had been established by the General Assembly in its resolution 64/71 of 4 December 2009.

[1] Since the workshop, a workshop for the South Pacific countries was held in Australia from 25 to 27 February 2013.

[2] Since the workshop took place, the General Assembly, in its resolution 67/78 of 11 December 2012, agreed to the establishment of a website for the Regular Process, which is hosted by GRID-Arendal of UNEP.

13. In closing, Ms Hicuburundi informed the participants that celebrations in observance of the thirtieth anniversary of the opening for signature of the United Nations Conference on the Law of the Sea were to be held in New York on 10 December 2012. She urged the participants to access the website of the Division for Ocean Affairs and the Law of the Sea for more background information on the Regular Process and upcoming activities.

14. Thereafter, the Chair invited Renison Ruwa to make a presentation on the Regular Process in the Western Indian Ocean region.

Introduction of the Regular Process in the Western Indian Ocean Region: Recap of activities from August to December 2012, statement by Dr. Renison Ruwa

15. Dr. Ruwa provided a brief background on the Regular Process, informing the workshop that during the 2002 World Summit for Sustainable Development, held in Johannesburg, South Africa, a recommendation on a regular assessment process of the marine environment including its socioeconomic aspects, was made. The proposal was adopted by the General Assembly in 2004, and it was agreed that the output should be delivered by 2014, focusing on: (a) agreed priority cross-cutting thematic issues such as food security; (b) an integrated assessment of the oceans; and (c) a baseline for future global assessments.

16. The start-up phase began in 2005, with a review of all recent assessments of the marine environment that had been done dubbed "assessment of assessments". The General Assembly, in 2006, reaffirmed the aims of the assessment of assessments and initiated the start-up phase and established a Group of Experts to carry out the assessment of assessments. The Group of Experts reviewed more than 500 regional and thematic assessments between 2007 and 2009. These reviews were based on templates, in order to ensure that the same questions were examined in a similar way for each assessment.

17. In 2009 the Ad Hoc Working Group of the Whole of the General Assembly examined the assessment of assessments report and made recommendations to the General Assembly. On the basis of those recommendations, the Assembly endorsed: (a) the objectives, the scope and the principles of the Regular Process; (b) the production of a first integrated assessment report by 2014; and (c) the establishment of a group of experts to do preparatory work on the fundamental building blocks identified by the assessment of assessments.

18. The Group of Experts was to consist of five experts from each of the five regional groups of the General Assembly (African Group, Asia-Pacific Group, Eastern European Group, Latin America and the Caribbean Group, and Western Europe and other States Group). The Assembly agreed in December 2010 on an Ad Hoc Working Group of the Whole to oversee and guide t' Regular Process; the Division for Ocean Affairs and the Law of the Sea to act as the secretariat of the Regular Process, and UNEP, the Intergovernmental Oceanographic Commission, the Food and Agriculture Organization of the United Nations, the International Maritime Organization and other specialist agencies to provide technical and scientific support; a Group of Experts of the regular process; and the first global integrated marine assessment to be developed by 2014.

19. In 2011, the Ad Hoc Working Group considered the set of options from the Group of Experts and agreed on: (a) the need for regional workshops and a pool of

experts to help the Group of Experts; (b) the guidelines for workshops; (c) the criteria for members of the pool of Experts; and (d) the terms of reference and working methods of the Group of Experts. As at December 2012, key activities that were to be completed include the designation of the members of the pool of experts, the finalization of the guidance to contributors, the assignment of drafting tasks and the review of working papers; and further workshops.

20. Dr. Ruwa also presented the outline of the first global oceans assessment, adding that the General Assembly had endorsed in its resolution 64/71, and reaffirmed in its resolution 65/37, the recommendations of the Ad Hoc Working Group of the Whole that the output of the first cycle of the Regular Process (by 2014) should be an integrated assessment of the oceans; agreed on cross-cutting thematic issues such as food security; and that the report would provide a baseline for future global ocean assessments.

21. The assessment will adopt the Drivers-Pressure-State-Impacts-Response framework and suggest at least three possible approaches for structuring the assessment, such as in the context of pressures, habitats and ecosystem services.

22. The chapters of the report will be as follows.

23. Chapter 1, which will assess the planet, oceans and life, will consist of a broad introductory survey of the role played by the oceans and seas in the life of the planet, the ways in which they function, and the relationships of human beings to them.

24. Chapter 2 will assess the mandate, the information sources and the method of work (mandate from the United Nations, existing assessments, assessment of assessments report), the Drivers-Pressure-State-Impacts-Response framework, procedures for data integration, the approach to the science/policy interface, the selection of contributors, the establishment of baselines, dealing with uncertainties and quality assurance of data. Chapters 3 to 9 will focus on provisioning services, including food, construction materials, renewable energy and coastal protection; hydrological cycle, including sea level, salinity, nutrients and heat transport; sea/air interaction, including air quality, meteorological events, acidification, coal mining; primary production, including distribution, causes and effects, surface layer; ocean-sourced carbonate production, including sediment supply to atolls; aesthetic, religious and spiritual ecosystem services; and scientific understanding and conclusion.

25. Chapters 10 to 16 will focus on oceans and seas as source of food, including living marine resources and implications for food security; capture fisheries, including commercial fish and shellfish stocks, artisanal or subsistence fishing, unreported and unregulated fishing, projections of fish stocks; aquaculture, including scale and distribution of aquaculture, fish ranching and stock rebuilding, projections; seaweeds and other sea-based food, including scale and distribution, and projections. Cross-cutting themes include economic aspects of fisheries, among them, value, cost of fishing, trade, importance to national economies, social aspects of fisheries, including employment, well-being of coastal communities and seafood content of diet; environmental aspects, including overfishing, natural processes, by-catch, food-web and habitat alterations, capacity-building needs and conclusions.

26. Chapters 17 to 33 will include human activities related to shipping, solid waste disposal, ports, marine debris, submarine cables and pipelines, physical changes,

land-based inputs, tourism and recreation, off-shore hydrocarbon industries, other marine-based energy, defence, offshore mining, desalinization, use of genetic resources and scientific research. Each of these human activities will include discussions on location and scale of activity, economic benefits, employment and social role, environmental consequences, links to other activities and capacity-building needs.

27. Chapter 34 will assess the main gradients of diversity for species, communities and habitats, ranging from coastal to abyssal, equatorial to polar and including substrate type, and salinity. Chapter 35 will assess the extent of assessment of marine biological diversity, while chapter 36 will assess the overall status of major groups of species and habitats, including trends and threats and the cumulative effects of pressures.

28. Chapters 37 to 43 will deal with aspects identified for special protection such as ecologically or biologically significant marine areas and vulnerable marine ecosystems, other species and habitats identified by a competent authority as needing protection (Bonn Convention, etc.). The chapters are structured using the European Nature Information Scheme; i.e., chapter 37 will assess coastal rock and biogenic habitats; chapter 38 will assess coastal sediment habitats; chapter 39 will assess shelf rock and biogenic reef habitats; chapter 40 will assess shelf sediment habitats; chapter 41 will assess deep sea (bathyal and abyssal) habitats; and chapter 42 will assess pelagic habitats.

29. Chapters 44 and 45 will assess capacity-building needs such as identification of gaps in capacity to identify marine species and habitats that are identified as threatened, declining or otherwise in need of special attention or protection. Chapter 46 will assess the overall human impact on the seas and chapter 47 will assess the value of and benefits derived from the oceans and seas for humans.

30. In conclusion, Dr. Ruwa urged the experts to consider the most important environmental aspects to be studied in the Western Indian Ocean region, agree on how to analyse the economic benefits derived from the marine environment in the Western Indian Ocean region, and agree on how to analyse the health, the income and the general well-being of marine workers, and the social impacts of the marine environment on the society in general.

Lessons learned from the Regular Process workshops for the Regional Seas, statement by Alberto Pacheco

31. The UNEP Regional Seas Programme Coordinator, Alberto Pacheco, presented lessons learned on the Regular Process capacity-building workshops organized so far by the Regional Seas Programme. Mr. Pacheco began by highlighting the social and economic challenges regarding the oceans and seas globally, including loss of habitats, sea level rise, ocean warming, acidification of oceans, over fishing and illegal fishing, and increased nutrient and sediment loading. The Regional Seas Programme was established in 1974, covering 143 countries forming 18 Regional Seas conventions and action plans, of which 6 are directly administered by UNEP. The Regional Seas conventions and action plans provide a legally binding framework to protect the marine environment at the regional level that is governed by member States. Their main objective is to address the degradation of oceans and seas through the sustainable use and management of marine and coastal resources. The conventions and action plans promote the implementation of cross-cutting

policies to protect a specific region by fostering transboundary cooperation among countries. Two of these Regional Seas conventions and action plans are based in Africa, notably, the Nairobi Convention and the Abidjan Convention.

32. The main activities of the Regional Seas conventions and action plans include addressing land-based sources of pollution (nutrients, wastewater, marine litter, and heavy metals, among others); ecosystem-based management guidelines tailored for Member States; marine-protected area networks; integrated coastal zone management; economic valuation of marine and coastal ecosystem services; green economy for oceans; regional funds for wastewater management; and monitoring and evaluation on the state of the marine environment every three to five years.

33. Mr. Pacheco highlighted some of the lessons learned from past capacity-building workshops to include improvement of skills and knowledge about conducting integrated assessments on the marine environment and economic and social aspects; most of the countries had conducted an integrated assessment of the state of marine environment; in most countries, coastal and marine monitoring reports were not centralized in one ministry or agency; there was adequate expertise available in the regions to tackle the challenges of the world oceans assessment with the help of the Group of Experts for the Regular Process and experts from other regions.

34. Conclusions from the workshops indicated that there was need to seek donor support to fund the Regular Process in support of Governments' contributions; a mechanism for communication and coordination was necessary within regions for follow-up of the implementation of the Regular Process; and improved international networking and resource sharing, including a network to facilitate international communication and cooperative platform-building related to marine environmental, social and economic data.

Capacity-building needs and global perspective: UNEP, statement by Joana Akrofi

35. Joana Akrofi, Associate Programme Officer of UNEP, outlined key capacity-building efforts by UNEP in support of the Regular Process. UNEP was providing support to Member States in organizing capacity-building workshops through the platform of the Regional Seas conventions and action plans. Ms. Akrofi informed that UNEP had so far provided support for six workshops; the first capacity-building workshop within the Regional Seas Programme took place in Santiago de Chile in September 2011 and was attended by 21 Member States. The second workshop was held in Sanya, China from 21 to 23 February 2012, for the East and South-East Asian Seas region. The third workshop was for the Western Indian Ocean countries and was hosted by the Government of Mozambique from 1 to 3 August 2012 in Maputo. The fourth workshop was for the wider Caribbean region, held from 13 to 15 November 2012 in Miami, and was supported by the Government of the United States of America. The fifth workshop was for the East Asian Seas and the Pacific region, and was held from 17 to 19 September 2012 in Bangkok. A second workshop for the Western Indian Ocean region, was held on 6 and 7 December 2012, in Maputo.

36. Ms. Akrofi informed that the purpose for the capacity-building workshops was to gather input to the Regular Process, to initiate dialogue to improve marine assessment at the national, the regional and the global levels, to introduce the background to the Regular Process, and to produce an inventory and evaluation of

existing assessments. The workshops were also designed to assist in developing approaches to addressing gaps in existing assessments, evaluate existing assessment capacity, develop approaches to capacity-building to fill gaps, initiate the process of capacity-building for integrated assessment, provide a new focus for networking for experts and stimulate country nominations of experts to the pool of experts of the world ocean assessment.

37. The capacity-building workshops are expected to review the assessment of assessments report, which contains a regional summary of assessments for the 21 identified regions. Thereafter, the workshop is expected to evaluate the assessments, identify other assessments that were not included in the assessment of assessments, identify the main issues that are important for the region but were not assessed, identify custodians of information and ways that information can be accessed, and identify information gaps.

38. UNEP, together with the United Nations Educational, Scientific and Cultural Organization, has also contributed to the Regular Process through the development of a communications portal designed as an open-source platform with different management functions. The portal also includes the Global and Regional Assessments of the Marine Environment Database, which includes a comprehensive list of worldwide assessments. UNEP is using its network to share relevant information on the Regular Process.

39. UNEP also supports the development of integrated assessments to fully inform policy development and management, such as the world oceans assessment report, which will closely examine human-environment interactions and how environmental changes affect human well-being, including socioeconomic forces that often underline human activities.

40. UNEP is committed to the Regular Process through its mandate, which is to keep under review the state of the global environment in accordance with General Assembly resolution 2997 (XXVII) of 1972. It can also provide support through its global, regional and national assessments process, such as the Global Environment Outlook and thematic assessments, for example, on water and oceans.

41. Some challenges identified with regard to the Regular Process include incomplete data, especially at the national level; the right to access data and relevant information; lack of long-term trend data; the capacity of experts to access, analyse and interpret data; and customizing products to provide information to policy and decision makers in easy-to-understand formats and to specific audiences.

42. UNEP could also build synergy with the Regular Process through UNEP-Live. UNEP-Live is an open and accessible web service that facilitates different stakeholders' access to UNEP assessment reports and their underlying scientific sources. The web service is also expected to assist in making UNEP and Government stakeholders' environmental assessment processes more efficient and their products of greater relevance in policy forums, and enable flexibility and customized delivery of assessment products to Member States and major UNEP stakeholders.

43. Finally, UNEP is assisting the Regular Process through the mobilization of extrabudgetary resources in the proposed areas of engagement.

Group discussions

44. The Chair guided the participants in forming two discussion groups: a socioeconomic group and a biophysical group. The instructions to the group discussions were to identify in each chapter:

(a) Clear status or rationale of each of the assessments;

(b) Where the information is and who has the data/information;

(c) Where the gaps are;

(d) What the capacity needs are;

(e) Who should write each of the chapters and provide details about the authors.

The participants were also instructed to provide the title of papers and particulars of authors associated with the above-mentioned items.

Way forward

45. The experts reiterated the way forward for the meeting held from 1 to 3 August 2012 in Maputo. The experts also expressed their commitment to support the Regular Process and to provide the names of experts and their contacts to contribute to the chapters outlined under the world oceans assessment report, adding that the same outline would be adopted for development of a regional state of the coast reports for the Nairobi Convention. The workshop also identified potential lead experts for various parts of the outline for the first world oceans assessment report.

46. Thereafter, the experts requested the Nairobi Convention secretariat and the Division for Ocean Affairs and the Law of the Sea to facilitate and organize the development process of the regional state of the coast report and the world oceans assessment report, taking into consideration the limited time and financial resources available to finalize the report by 2014.

Closing remarks

47. Ms. Hicuburundi, the representative of the United Nations Secretariat Office of Legal Affairs, Division for Ocean Affairs and the Law of the Sea, thanked the Government of Mozambique and the organizers of the workshop for facilitating a successful workshop. She expressed thanks in particular to the experts who had participated in the two working groups for their contributions to advancing the work of the preparation of the state of the coast report. She noted that the Group of Experts would welcome the contribution to the world assessment report of the State of the coast report for the Southern and Western Indian Ocean and its experts, particularly since the outline chosen closely mirrored that of the world assessment report. She concluded by encouraging the participating experts to apply to the Pool of Experts of the Regular Process, recalling the legitimacy and the credibility of the world assessment report also relied on the participation of a geographically representative pool of experts.

48. There being no other business, the Chair declared the workshop closed at 4.30 p.m.